

DFW



**Certification under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to THE COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on July 18, 2006.

Brian W. Hameder (Reg. No. 45,613)  
Name

  
Signature

DOCKET: CU-4424

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Rolf BERGE

Serial No.: 10/550,129

Group Art Unit:

Filed: September 21, 2005

Examiner:

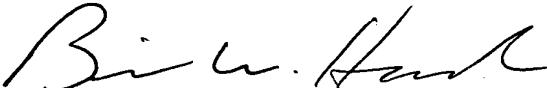
For: COMPOSITION COMPRISING PLANT AND/OR FISH OILS AND COMPOUNDS  
COMPRISING NON-OXIDIZABLE FATTY ACID ENTITIES

THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE  
MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: July 18, 2006



Signature of Attorney  
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Reg. No. 45613



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**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise. Also, if the present application was filed after June 30, 2003, copies of US patents or published applications are not submitted in accordance with the USPTO Rule changes.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Additional comments, if any, on the relevance of each reference listed are provided as follows:

**Also submitted herein is a copy of the PCT Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

**Also submitted herein is a copy of a Norwegian Search Report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).**

The Statement is made on the basis of the information:

- supplied by the inventor(s);  
 supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)); or  
 in the attorney's file.

Respectfully submitted,



Date: July 18, 2006

Signature of Attorney  
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Form PTO-1449 (Modified)

FORM PTO-1449  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (37 CFR 1.98(b))		ATTY. DOCKET NO. <b>CU-4424</b>	SERIAL NO. <b>10/550,129</b>
		APPLICANT <b>Rolf BERGE</b>	
		FILING DATE <b>September 21, 2005</b>	GROUP

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	PATENT DOCUMENT	ISSUE/PUB DATE	PATENTEE	CLASS	SUB-CLASS	FILING DATE

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

EXAMINER INITIAL	DOCUMENT NUMBER	PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB-CLASS	TRANSLATION YES <input type="checkbox"/> NO <input type="checkbox"/>
	NO 20005461	01/08/01	Norway			
	WO 99/58121	11/18/99	PCT			
	WO 99/58122	11/18/99	PCT			
	EP 1 284 139	02/19/03	EPO			
	EP 1 285 652	02/26/03	EPO			
	EP 0 843 972	11/20/96	EPO			
	WO 2004/000854	12/31/03	PCT			
	WO 03/014073	02/20/03	PCT			
	WO 97/03663	02/06/97	PCT			
	WO 01/68582	09/20/01	PCT			

**OTHER DOCUMENTS (Including Author, Title, Date, Place of publication)**

	Dallongeville, J. et al. (2001) Peroxisome Proliferator-activated Receptor Is Not Rate-limiting for the Lipoprotein-lowering Action of Fish Oil. <i>J. Biol. Chem.</i> 276. pp. 4634-4639.
	Demoz, A. et al. (1994) Modulation of plasma and hepatic oxidative status and changes in plasma lipid profile by n-3 (EPA and DHA), n-6 (corn oil) and a 3-thia fatty acid in rats. <i>Biochimica et Biophysica Acta.</i> 1199. pp. 238-244.
	Madsen, L. et al. (2002) Tetradecylthioacetic acid prevents high fat diet induced adiposity and insulin resistance. <i>Journal of Lipid Research</i> 43. pp. 742-750.

(Form PTO-1449)